

UNITED STATES DISTRICT COURT
COUNTY OF SOUTHERN DIST. NEW YORK

Attorney:
COLEMAN & SEIFE

LEE ANN MERCANDO, ET AL.

Plaintiff(s)

- against -

KALANI TOM

Defendant(s)

Index No. 08 CIV. 0191

AFFIDAVIT OF SERVICE
OF:

SEE ATTACHED

STATE OF NEW YORK: COUNTY OF WESTCHESTER ss:

DAVID LEVINE BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY
TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on 01/19/08 at 1103 Hours at 313 WEST 90TH STREET APT. 3R NEW YORK, NY 10024
deponent served the within SEE ATTACHED

therein named,

on

KALANI TOM

INDIVIDUAL

A ☐

by delivering a true copy of each to said personally; deponent knew the person so served to be the person described as said person therein.

(S) He identified (her) himself as such.

CORPORATION

B ☐

a (domestic) (foreign) corporation by delivering thereat a true copy of each to personally, deponent knew said corporation so served to be the corporation described in legal papers and knew said individual to be thereof

**SUITABLE
AGE PERSON**

C ☒

by delivering thereat a true copy of each to JANE DOE (REFUSED TO GIVE NAME)
a person of suitable age and discretion. Said premises is recipient's (actual place of business) (dwelling house) (usual place of abode) within the state.

☒

(S) He identified (her) himself as

CO-TENANT

of recipient

**AFFIXING TO
DOOR, ETC.**

D ☐

by affixing a true copy of each to the door of said premises, which is recipient's (actual place of business) (dwelling house) (usual place of abode) within the state. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called there on the dates below:

**MAILING
USE WITH
C or D**

☒

Deponent also enclosed a copy of same in a postpaid sealed wrapper properly addressed to the above recipient at

313 WEST 90TH STREET APT. 3R NEW YORK, NY 10024

said wrapper in (a post office) official depository under exclusive care and custody of the United States Postal Service within New York State.

Deponent further states that he describes the person actually served as follows

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx.)
FEMALE	WHITE	BROWN	35	5'4	130

**MILITARY
SERVICE**

☒

Person spoken to was asked whether the recipient(s) was (were) in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the recipient(s) is (are) not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

That at the time of such service deponent knew the person (s) so served as aforesaid to be the same person (s) mentioned and described as the defendant(s) in this action.

* MAILED TO THE ABOVE ADDRESS IN AN ENVELOPE MARKED
PERSONAL & CONFIDENTIAL

**USE IN
NYC CIVIL CT.**

☐

The language required by NYCRR 2900.2(e), (f) & (h) was set forth on the face of said summons (es).

Sworn to before
me on the
01/22/08

GERI L. ALBERT
Notary Public, State of New York
No. 01AL5047399
Qualified in Westchester County
Commission Expires July 31, 2009

DAVID LEVINE
LICENSE No.
778982

150856

STATE PROCESS SERVING COMPANY P.O. Box 625 • Yorktown Heights, New York 10598 • 914-243-5817

1. Summons;
2. Civil Cover Sheet;
3. Complaint;
4. Judge's Individual Rules;
5. 3rd Amended Instructions for Filing an Electronic Case or Appeal;
6. USDC/SDNY Procedures for Electronic Case File; and
7. USDC/SDNY Guidelines for Electronic Case Filing.